

FILE

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
AUG 18 2003

OFFICE OF
MANAGING DIRECTOR

Herbert R. Bivens
Chief Officer
UTC Longdistance, LLC
Post Office Box 207
Chapel Hill, TN 37034

Re: FY 2000 Regulatory Fee
Fee Control No. 00000RROG-03-036
Bill No. 2001-9-0373

Dear Mr. Bivens:

This is in response to your request dated January 22, 2001, filed on behalf of UTC Longdistance LLC (UTC) for abatement of late penalties associated with the fiscal year (FY) 2000 regulatory fees for UTC. Our records reflect that UTC's \$329.89 regulatory fee was date stamped by the Mellon Bank for receipt by the Commission on November 20, 2000, but that we have not yet received the late payment penalty of \$82.47.

In support of your request, you explain that at the time the fees were due, UTC's original filing of its FCC Form 499S indicated UTC did not owe any Universal Service fee. We assume you also are indicating that, as such, UTC did not believe it owed any regulatory fees, which in your case, along with Universal Service fees, are also based on FCC Form 499S. In revising your FCC Form 499S on September 29, 2000, you determined that you owed a regulatory fee of \$329.89, which you then submitted with your Remittance Advice FCC Form 159.

While we understand that you were permitted to revise your FCC Form 499S until January 29, 2001, regulatory fees for FY 2000 were due by September 22, 2000. The Communications Act of 1934, as amended, requires the Commission to assess a late payment penalty of 25 percent on any regulatory fee not paid in a timely manner. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. We find that UTC did not meet its obligation to file its regulatory fee to be timely received by the Commission by September 22, 2000, the last date for payment of FY 2000 fees. We therefore deny your request for rescission of the late payment penalty for late payment of the fiscal year 2000 regulatory fee.

Herbert R. Bivens

2.

A late payment fee in the amount of \$82.47 for FY 2000 is now due. The fee must be filed, together with a copy of Bill No. 2001-9-0373, within 30 days from the date of this letter. If you have any questions concerning this matter please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger
Chief Financial Officer

Enclosure:

Copy of Bill #2001-9-0373



00000RR06-03-036

January 22, 2001

Mr. Tom Putman, Accountant
Federal Communications Commission
445 12th Street
Washington, DC 20554

Re: Assessment of Penalty on Regulatory Fees
UTC Long Distance LLC ID # 817236

Dear Mr. Putman:

Based on our original filing of the 499S, UTC LongDistance did not owe Universal Service fees. In reviewing our records, we realized that the form should be revised. A Revised Form 499S was submitted on September 29, 2000 well before the refiling date of January 31, 2001. Our calculation based on the revised form indicated an amount due of \$329.89. We also completed Remittance Advice Form 159 and issued check number 1239 for this amount.

We respectfully request the penalty of \$82.47 on Bill Number 2001-9-0373 (copy attached) be abated. We feel that we have made every effort to complete reports in a timely manner and remitted payment when we determined that one was due without waiting to be assessed.

We appreciate your consideration of this request.

Sincerely,

Herbert R. Bivens
Chief Officer

RECEIVED OCT 10 2002

Federal Communications Commission
BILL FOR COLLECTION

FOR INQUIRIES CALL
1-202-418-1995
(Revenue/Receivables Operations)

Bill Number		Bill Date		Please write your bill number on your remittance.																				
2001-9-0373		01/12/01																						
UTC LONG DISTANCE LLC P.O. BOX 287 CHAPEL HILL, TN 37034				Payable to:																				
				Federal Communications Commission																				
				Send a copy of this bill to:																				
				Federal Communications Commission Revenue/Receivables Operations P.O. BOX 358835 PITTSBURGH, PA 15251 - 5835																				
Total Amount Due		Due Date																						
\$82.47		02/12/01																						
Total Amount Due Must Be Received By																								
Description																								
25% PENALTY FOR LATE PAYMENT OF FY 2000 REGULATORY FEE(S)																								
CALL SIGN: 817236																								
Please attach a copy of this bill to your payment to ensure proper credit.																								
Payment Type Code		Quantity	Fee Due																					
F	I	N	E	1	\$82.47	\$82.47																		
Total Due						\$82.47																		
Payment Method: Check <input type="checkbox"/> (Attach)																								
Credit card <input type="checkbox"/> (Complete Below)																								
<input type="checkbox"/> MASTERCARD																								
<input type="checkbox"/> VISA																								
Account No																								
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Expiration																								
<table border="1"><tr><td></td><td></td><td></td><td></td></tr></table> Month Year																								
I hereby authorize the FCC to charge my MASTERCARD or VISA for the service(s) / authorization(s) herein described.																								
AUTHORIZED SIGNATURE				DATE																				

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

OFFICE OF
MANAGING DIRECTOR

UTC Long Distance LLC
P.O. Box 207
Chapel Hill, TN 37034

Re: ID# 817236

Dear Licensee:

This letter is notice that you were late paying your 2000 annual regulatory fee(s). Payment of regulatory fees was due to the Federal Communications Commission (FCC) by midnight, September 22, 2000. Your fee payment of \$ 329.89 was received on Nov. 20, 2000.

In accordance with Section 9 [47 USC 159(c)(1)], a 25 percent late penalty in the amount of \$ 82.47 has been assessed. Unless you can show just cause why the penalty is inapplicable, payment is due within 20 days from the date of this letter.

Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835, along with a copy of the enclosed billing invoice.

If you have any documentation that will establish that the fee was remitted and received at Mellon Bank by September 22, 2000, such as a carrier dated receipt, please include this documentation with your response so that we can clear your record(s).

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined in 47 CFR, Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payer's pending applications to dismissal, and may require a delinquent payer to show cause why any existing instruments of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal government pursuant to Section 3720A of the Internal Revenue Code, 31 USC 3717, and the provision of the Debt Collection Act, 31 USC 3717.

If you have any questions, you may contact my office at (202) 418-1995.

Sincerely,



Susan A. Donahue, Chief
Revenue and Receivables Operations Group

Enclosure



Affiliated with United Telephone Company

November 17, 2000

Federal Communications Commission
Regulatory Fees
P. O. Box 358835
Pittsburgh, PA 15251-5835

Re: FCC Universal Service Contribution
Filer ID # 817236

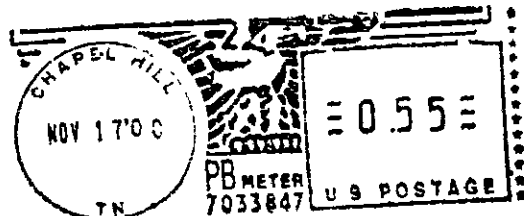
Dear Sir or Madam:

Based on our original filing of the 499 S, UTC LongDistance did not owe Universal Service fees. We recently filed a revised form. Based on this filing we calculate a fee of \$329.89. Check number 1239 for this amount is attached to this letter along with Form 159.

If you have any questions, please contact me at 931/364-4321.

Sincerely,

Herbert R. Bivens
Chief Officer



FCC/MELLORE NOV 20 2000

Federal Communications Commission
Regulatory Fees
P. O. Box 358835
Pittsburg, PA 15251-5835

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

Approved by OMB
3060-0589
Page No. 1237 of

(1) LOCKBOX #

FCC FORM 159 NOV 20 2000

SPECIAL USE

FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)

UTIC LONG DISTANCE LLC

(3) TOTAL AMOUNT PAID (U.S. Dollars and cents)

329.89

(4) STREET ADDRESS LINE NO. 1

(5) STREET ADDRESS LINE NO. 2

P.O. BOX 207

(6) CITY

CHAPPEL HILL

(7) STATE

TX

(8) ZIP CODE

37034

(9) DAYTIME TELEPHONE NUMBER (include area code)

9313644321

(10) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN)

(12) PAYER (TIN)

621664658

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

(13) APPLICANT NAME

(14) STREET ADDRESS LINE NO. 1

(15) STREET ADDRESS LINE NO. 2

(16) CITY

(17) STATE

(18) ZIP CODE

(19) DAYTIME TELEPHONE NUMBER (include area code)

(20) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FRN)

(22) APPLICANT (TIN)

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID

817236

(24A) PAYMENT TYPE CODE

01072

(25A) QUANTITY

281961

(26A) FEE DUE FOR (PTC)

(27A) TOTAL FEE

329.89

FCC USE ONLY

(28A) FCC CODE 1

281961

(29A) FCC CODE 2

0

(23B) CALL SIGN/OTHER ID

(24B) PAYMENT TYPE CODE

(25B) QUANTITY

(26B) FEE DUE FOR (PTC)

(27B) TOTAL FEE

FCC USE ONLY

(28B) FCC CODE 1

(29B) FCC CODE 2

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT

I, Herbert R. Bivens, Chief Officer

the best of my knowledge, information and belief

SIGNATURE

HERBERT R. BIVENS, CHIEF OFFICER

DATE

11/17/2000

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31)

MASTERCARD/VISA ACCOUNT NUMBER

EXPIRATION

☐ MASTERCARD

☐ VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described

SIGNATURE

DATE